

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W.S. Carmel Rd. across intersection Mt. Carmel & Flickerwood Rds.
1400 Mt. Carmel Road
7th Election District
3rd Councilmanic District
Mark E. Gardner, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-390-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 30 ft. in lieu of the required 35 ft., as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for a Residential Variance, the subject property, known as 1400 Mt. Carmel Road, improved with a single family home, zoned R.C.2, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a variance to permit a side yard setback of 30 ft. in lieu of the required 35 ft. for an addition.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. The Petitioners have also filed a document, marked Petitioner's Exhibit No. 3, signed by their neighbors indicating they have no objection to this addition. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and, therefore, the relief should be granted.

Pursuant to the posting of the property and the provisions of both

the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of May, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A01.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 30 ft. in lieu of the required 35 ft., in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners shall obtain the signature of the Deputy Director of the Office of Planning and Zoning indicating that the proposed addition complies with his request of May 1, 1991 attached hereto.
3. The Petitioners shall comply with the comments submitted by the Maryland Department of Transportation dated April 24, 1991, attached hereto.
3. The Petitioners shall comply with all requirements of the Department of Environmental Protection and Resource Management as set forth in their comments dated April 23 and May 14, 1991, attached hereto.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 22, 1991

Mr. and Mrs. Mark E. Gardner
1400 Mt. Carmel Road
Parkton, Maryland 21120

RE: Petition for Residential Zoning Variance
Case No. 91-390-A

Dear Mr. and Mrs. Gardner:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mm
encl.
cc: Peoples Counsel

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-390-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at 1400 MOUNT CARMEL ROAD PARKTON, MD 21120
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)
SIDE YARD VARIANCE IS TO AN ADJOINING PROPERTY WHICH IS A 50' RIGHT OF WAY FIVE SUNNYVALE LANE. ALSO DUE TO LOCATIONS OF PROPERTY WELL & SEPTIC SYSTEM, PROPOSED ADDITION WITH GARAGE COULD ONLY BE LOCATED ON EAST SIDE OF DWELLING

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reputing and advertising fee and may be required to provide additional information.

Mark E. Gardner
AFFIANT (Handwritten Signature)
MARK E. GARDNER
AFFIANT (Printed Name)

Janet L. Gardner
AFFIANT (Handwritten Signature)
JANET L. GARDNER
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 22nd day of April, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Mark E. Gardner and Janet L. Gardner

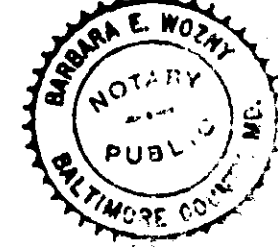
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath to the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE April 24, 1991

Robert E. May
NOTARY PUBLIC

My Commission Expires: July 1, 1995



386

91-390-A

ZONING DESCRIPTION - DEED 1400 MT CARMEL ROAD

BEGINNING FOR THE SAME AT A POINT 20 FEET NORTH OF THE CENTER LINE OF MOUNT CARMEL ROAD. AT THE END OF THE SOUTH 3 DEGREES 55 MINUTES 30 SECONDS EAST 436.35 FEET LINE IN DEED DATED OCTOBER 17, 1936. AND RUNNING ALONG THE NORTH SIDE OF MOUNT CARMEL ROAD, WEST 131.6 FEET, NORTH 199.7 FEET, EAST 137.9 FEET, SOUTH 200 FEET TO PLACE OF BEGINNING. AS RECORDED IN BALTIMORE COUNTY IN LIBER 6201, FOLIO 253, CONTAINING .615 ACRES. ALSO KNOWN AS 1400 MOUNT CARMEL ROAD AND LOCATED IN THE 7th ELECTION DISTRICT.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th Date of Posting: 4-26-91
Posted for: 1400 Mt. Carmel Road
Petitioner: Mark E. Gardner
Location of property: 1400 Mt. Carmel Road, Parkton, MD 21120
Location of Sign: 1400 Mt. Carmel Road
Remarks: None
Posted by: J. Robert Haines Date of return: 4-26-91
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 001-6150
Number

Date

DATE
PUBLIC HEARING FEE \$100.00
COUNTY VARIANCE FEE \$100.00
POSTING FEES / ADVERTISING \$25.00
TOTAL: \$225.00
L.S. NAME OF OWNER: GARDNER, MARK E.

Please Make Checks Payable To: Baltimore County
04A04000281CHRC
0003120PM04-08-91 \$60.00

Cashier Validation

PETITION FOR RESIDENTIAL VARIANCE

91-390-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1001.3B3 PERMIT A SIDE YARD VARIANCE OF 30 FEET IN LIEU OF THE REQUIRED 35 FEET

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty): SIDE YARD VARIANCE IS TO AN ADJOINING PROPERTY WHICH IS A 50' RIGHT OF WAY FOR SUNNYVALE LANE. ALSO DUE TO LOCATIONS OF PROPERTY WELL & SEPTIC SYSTEMS, PROPOSED ADDITION WITH GARAGE COULD ONLY BE LOCATED ON EAST SIDE OF DWELLING. DUE TO INCREASING SIZE OF FAMILY AND NUMBER, LIVING SPACE IS NEEDED TO MEET SAME.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City/State/Zip Code
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
Attorney's telephone number

Legal Owner(s):
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Address
City/State/Zip Code
Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of April, 1991, that the subject matter of this petition be posted on the property on or before the 1st day of May, 1991.

J. Robert Haines
ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this 22nd day of April, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 22nd day of April, 1991, at 10 o'clock, A.M.

ESTIMATED AMOUNT OF POSTING FEE: \$100.00
DATE: 4-26-91
RECEIVED BY: SNA
DATE: 4-26-91
BY: SNA

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 2, 1991

Mr. & Mrs. Mark E. Gardner
1400 Mt. Carmel Road
Parkton, MD 21120

RE: Item No. 386, Case No. 91-390-A
Petitioner: Mark E. Gardner, et ux
Petition for Residential Variance

Dear Mr. & Mrs. Gardner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
1st day of May, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James R. Long
Chairman,
Zoning Plans Advisory Committee

Petitioner: Mark E. Gardner, et ux
Petitioner's Attorney:

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(410) 887-1500

APRIL 24, 1991

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MARK E. GARDNER

Location: #1400 MT. CARMEL ROAD

Item No.: 386 Zoning Agenda: APRIL 23, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site
shall comply with all applicable requirements of the National Fire
Protection Association Standard No. 101 "Life Safety Code", 1988
edition prior to occupancy.

REVIEWER: *Carl A. Kelly* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

April 24, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Zoning Meeting of 4-23-91
Mark E. Gardner Property
N/S Mt. Carmel Road
(Item #386)

Attn: Mr. James Dyer

Dear Mr. Haines:

We have reviewed the submittal for a residential variance to
permit a side setback of 30' in lieu of the required 35' and have
the following comment.

The plan must be revised to show a proposed 80' right-of-way
(40' measured from the centerline) of Mt. Carmel Road.

It is requested that this revision be made prior to a
hearing date being set.

If we can be of further assistance, please contact Larry
Brocato of this office at 333-1350.

Very truly yours,

John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

LB:maw

cc: Mr. Mark Gardner
Mr. J. Ogle

My telephone number is 301-333-1350 (Fax #333-1041)
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

91-396-A 57

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

May 14, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

A.Z.C. Meeting Date: April 23, 1991

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for
items number 356, 377, 379, 382, 386, 388, 389, 390 and 391.

Very truly yours,

Rahae J. Famili
Rahae J. Famili
Traffic Engineer II

RJF/lab

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: May 1, 1991
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Mark E. Gardner, Item No. 386

In reference to the petitioner's requested Variance, this
office offers the following comments:

The planning staff does not oppose the subject petition;
however, we recommend that the proposed addition be architecturally
compatible with the neighborhood.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/cmm

ITEM386/ZAC1

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

April 23, 1991

TO: Zoning Commissioner
Office of Planning and Zoning
FROM: DIVISION OF GROUND WATER MANAGEMENT
SUBJECT: Zoning Item #386, Zoning Advisory Committee Meeting of
April 23, 1991, Mr. Mark E. Gardner, et ux, N/S Mt. Carmel Road,
across from intersection of Mt. Carmel Road and Flickerwood Road,
(#1400 Mt. Carmel Road), D-7, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

Any building structure must be located a minimum of 20 feet from the
septic system and 30 feet from the water well.

SSF:rmk

386/TXTRMK/SUB-ZONNGVAR

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

May 14, 1991

REVISED ZONING COMMENTS

TO: Zoning Commissioner
Office of Planning and Zoning
FROM: DIVISION OF GROUND WATER MANAGEMENT
SUBJECT: Zoning Item #386, Zoning Advisory Committee Meeting of
April 23, 1991, Mr. Mark E. Gardner, et ux, N/S Mt. Carmel Rd.,
across from intersection of Mt. Carmel Road and Flickerwood Road,
(#1400 Mt. Carmel Road), D-7, Private Water and Sewer

COMMENTS ARE AS FOLLOWS:

A variance has been granted to approve the proposed addition as
depicted on the plat to accompany the petition for a zoning variance.

SSF:rmk

386REVSD/GWRMK

RECEIVED
MAY 15 1991
ZONING OFFICE

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 22, 1991

Mr. & Mrs. Mark E. Gardner
1400 Mt. Carmel Road
Parkton, Maryland 21120

Re: CASE NUMBER: 91-390-A
LOCATION: N/S Carmel Road, across from intersection of Mt. Carmel Rd. & Flickerwood Rd.
1400 Mt. Carmel Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case
number. Any contact made to this office should reference the case number. This letter also serves as a
receipt regarding the administrative process.

1) Your property will be posted on or before May 1, 1991. The last date (closing date) on which a
neighbor may file a formal request for hearing is May 16, 1991. Should such request be filed, you will receive
notification that the matter will not be handled through the administrative process. This will mean
advertising of the public hearing and reporting of the property. The public hearing will be scheduled
approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you
will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed
from the property and returned to this office. Failure to return the sign and post will cause your order to be
held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the
day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of
the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He
also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD,
THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL
REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS
READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.
ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING
MAILED TO YOU.

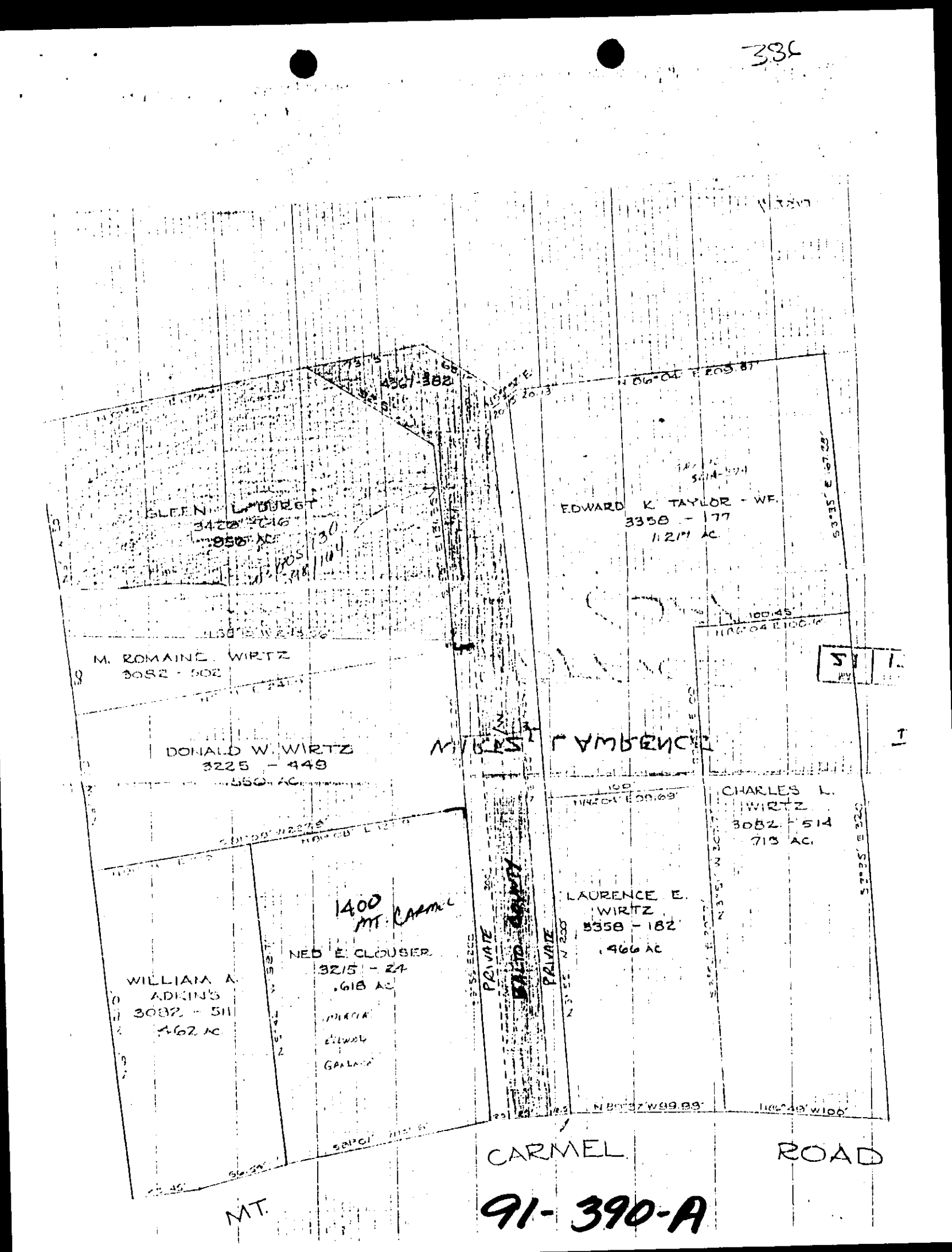
Very truly yours,

G. G. Stephens
G. G. Stephens
(301) 887-3391

386
91-390-A
PROPERTY HISTORY 1400 MT CARMEL ROAD

EAST SIDE BOUNDARY S 3° 55' E 200 FEET
IS A 50' PRIVATE RIGHT WAY. WHICH BALTIMORE COUNTY
OWNS 25 FEET IN THE CENTER OF RIGHT OF WAY. THIS
COUNTY OWNERSHIP TOOK PLACE WHEN PREVIOUS OWNER,
GLENN L. DURST, WAS DELINQUENT IN PAYING TAXES. SAID
PROPERTY IS RECORDED IN DEED 7619 FOLIO 285-287.
JUNE 24, 1987. BETWEEN BALTIMORE COUNTY RIGHT OF WAY
PROPERTY AND SAID BOUNDARY S 3° 55' E 200 FEET IS A
12.5 WIDE RIGHT OF WAY PRIVATE OWNED.

RESPECTFULLY SUBMITTED,
Mark E. Gardner
MARK E. GARDNER
1400 MT. CARMEL ROAD P
PARKTON, MD 21120
(301) 343-1184



7619 PAGE 285

THIS DEED, Made this 24th day of June, 1987, by
and between STANLEY GUILD, JR., Acting Director of Finance for Baltimore
County and Collector of State and County Taxes for said County, party of the
first part; and BALTIMORE COUNTY, MARYLAND, a body corporate and politic,
party of the second part.

WHEREAS, the hereinafter described fee simple property was sold on or
about the 21st day of May, 1984, for delinquent taxes by Annette Grim,
Director of Finance for Baltimore County and Collector of State and County
Taxes for said County, to Baltimore County, Maryland, as shown by a
Certificate of Tax Sale dated June 12, 1984, issued by Annette Grim the
Director and Collector as aforesaid, to Baltimore County, Maryland, pursuant
to the provisions of Tax-Property Article, Section 14-847 of the Annotated
Code of Maryland; and

WHEREAS, after the expiration of one year and a day from the date of
said Certificate of Tax Sale, the property hereinafter described not having
been redeemed, the said Baltimore County, Maryland, a body corporate and
politic, filed in the Circuit Court for Baltimore County a Bill of Complaint
to foreclose any equity of redemption held by any person or persons in said
hereinafter described property, in accordance with the provisions of said
Tax-Property Article, Section 14-847 of the Annotated Code of Maryland, said
proceedings being entitled "Baltimore County, Maryland versus Glen L. Durst
and Barbara P. Durst" and recorded in the Office of the Clerk of the Circuit
Court for Baltimore County in Civil-Special Proceedings Docket E.H.K., Jr.
No. 21, folio 184, Case No. 86CSP-1803; and

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE
SIGNATURE DATE 2-22-87
STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
DATE 2-22-87
TRANSFER TAX NOT REQUIRED
BALTIMORE COUNTY
DATE 2-22-87

91-390-A

Refer to

386
THIS DEED, Made this 17th day of October, in the
year One Thousand Nine Hundred and Fifty-six, by and between
LAURENCE E. WIRTZ and M. ROMAIN WIRTZ, his wife, parties of
the first part, and RUTH W. TURNBULL, divorced, party of the
second part.

WITNESSETH that for and in consideration of the sum
of Five Dollars, and other good and valuable considerations,
the receipt whereof is hereby acknowledged, the said Laurence
E. Wirtz and M. Romaine Wirtz, his wife, do grant and convey
unto the said Ruth W. Turnbull, divorced, her heirs and
assigns, in fee simple, all that lot or parcel of ground
situate, lying and being in the Seventh Election District of
Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same in the center of the Mt.
Carmel Road and in the third line of a parcel of land which
by a deed dated June 8, 1955 and recorded among the Land
Records of Baltimore County in Liber G.L.B. No. 2712 folio 63
was conveyed by Lottie Mays, widow, to Irwin R. Barr and wife
said place of beginning being distant North 06 degrees 56
minutes 05 seconds West 411-37/100 feet measured along said
third line from the beginning thereof; and running thence with
and binding on a part of the third line and binding on the
fourth, fifth and sixth lines and binding on a part of the
seventh line and binding in the center of the Mt. Carmel Road,
as constructed, the five following courses and distances viz:
North 06 degrees 56 minutes 05 seconds West 98-99/100 feet,
South 88 degrees 32 minutes 25 seconds West 116-80/100 feet,
South 83 degrees 33 minutes 40 seconds West 125-04/100 feet,
South 77 degrees 51 minutes 30 seconds West 93-85/100 feet and
South 73 degrees 56 minutes 50 seconds West 45 feet; thence
leaving said road and running for 1/4 mile of division the two
following courses and distances viz: North 6 degrees West 875

DEED - FEE SIMPLE - INDIVIDUAL GRANTOR - LONG FORM

91-390-A

This Deed, Made this 17th day of

in the year one thousand nine hundred and eighty
by and between
Harry R. Eliwood and Mary Lou Eliwood, his wife

of Baltimore County, State of Maryland,
of the first part, and
Mark E. Gardner and Janet L. Gardner, his wife, of the County and State
aforesaid,
of the second part.

WITNESSETH, That in consideration of the sum of SIXTY-NINE THOUSAND AND NO/100THS
DOLLARS (\$69,000.00), and other good and valuable considerations, the
receipt of which is hereby acknowledged,

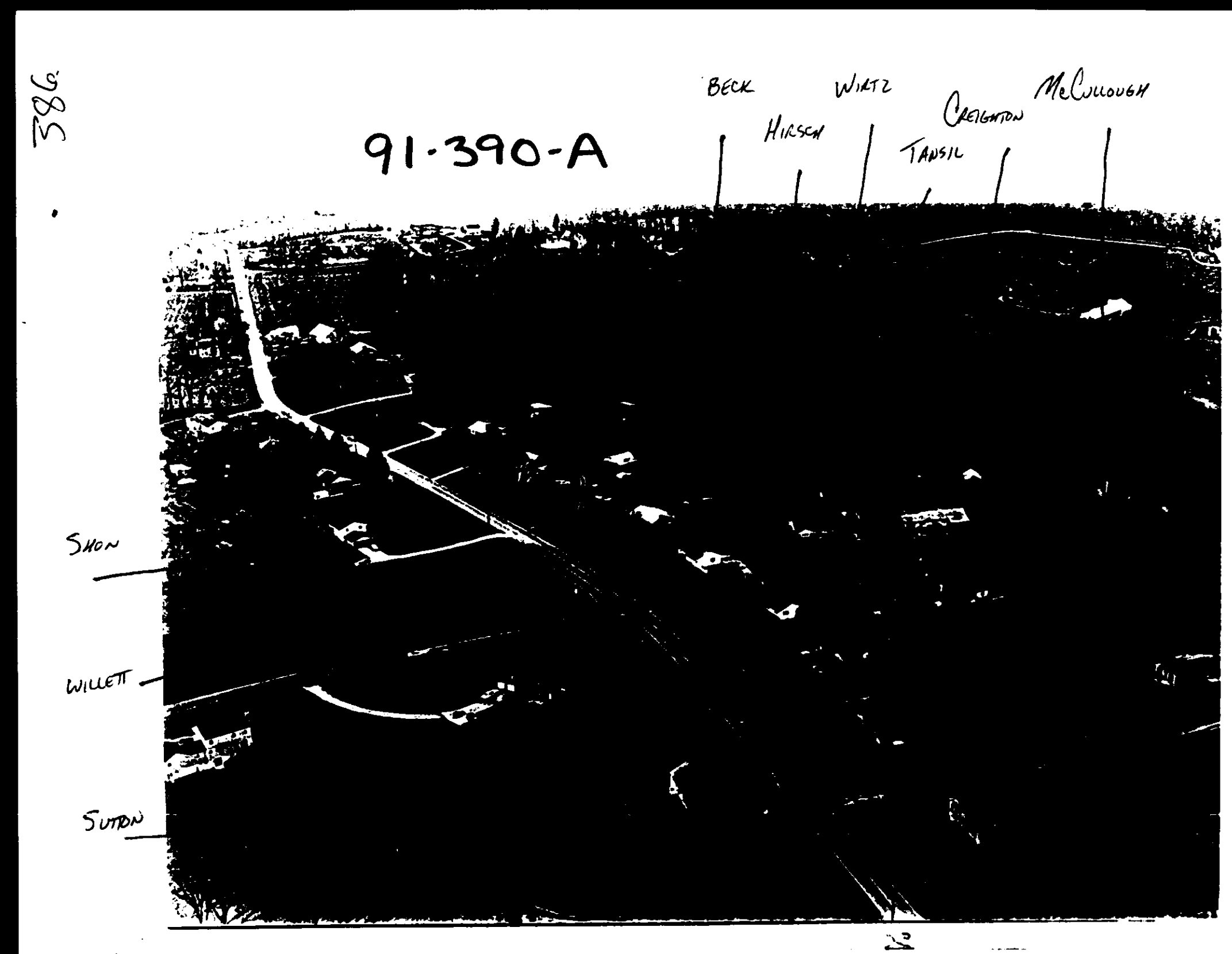
the said parties of the first part

do grant and convey to the said parties of the second part, as tenants by the
entireties, their heirs and assigns, the survivor of them and the
survivor's

personal representatives, successors and assigns
xxxxxxx, in fee simple, all
that lot of ground situate in Baltimore County
and described as follows, that is to say:

BEGINNING FOR THE same at a point 20 feet north of the center line
of Mount Carmel Road at the end of the south 3 degrees 55 minutes 30
seconds east 436.35 feet line in deed dated October 17, 1956, and
recorded among the Land Records of Baltimore County in Liber G.L.B. No.
3082 folio 502 from Ruth W. Turnbull, divorced, unto M. Romaine Wirtz,
and running thence and binding along the north side of Mount Carmel Road
as now surveyed by a curve to the left with a radius of 1021.31 feet
south 81 degrees 07 minutes 21 seconds west 131.6 feet to a pipe, thence
north 5 degrees 42 minutes 15 seconds west 139.7 feet to a stake, thence
north 81 degrees 08 minutes 30 seconds east 137.9 feet to intersect the
said south 3 degrees 55 minutes 30 seconds east 436.35 feet line, and
running thence and binding thereon and on the west side of a 50 foot
right-of-way south 3 degrees 55 minutes 30 seconds east 200 feet to the
north side of the Mount Carmel Road and place of beginning.

BEING the same lot of ground described in a Deed dated November 24,
1971, and recorded among the Land Records of Baltimore County in Liber
OTG No. 5234, folio 127, which was granted and conveyed by Edgar L.
Mercer and Harriett E. Mercer, his wife, unto the said parties of the
first part.





91-390-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	EVNA	N.W.
DATE OF PHOTOGRAPHY JANUARY 1986		27-D